

**U.S. Department of Labor
Office of the Solicitor**

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Reply to the Attention of:

Amy Tai, Esq.

February 11, 2021

Via ECF

The Honorable Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**RE: *Ortega v. Ernie's Auto Detailing, Inc., et al.*, Case No. 20-CV-3007 (BMC)
Rosario v. Ernie's Auto Detailing, Inc., et al., Case No. 20-CV-3762 (BMC)
Perez v. Ernie's Auto Detailing, Inc., et al., Case No. 20-CV-4798 (BMC)**

Dear Judge Cogan:

Milton Al Stewart, Acting Secretary of Labor, United States Department of Labor (the "Secretary"),¹ respectfully submits this letter in response to the Court's Scheduling Order dated February 9, 2021. The Secretary, who is not a party in the above-captioned actions, writes to clarify whether the Court expects his attendance at the upcoming scheduling conference on February 18 at 1:00 p.m.

If the Court requires his attendance, counsel for the Secretary respectfully requests that the conference be adjourned and rescheduled because counsel for the Secretary will be on leave the week of February 15, including on February 18. Counsel for the Secretary has conferred with the parties, who consent to this request. During the week of February 22, the Secretary and the parties are available on February 24 or February 25 if either day is convenient for Your Honor. If the Secretary's appearance is not required, the Secretary respectfully withdraws his request for an adjournment.

Respectfully submitted,

Jeffrey S. Rogoff
Regional Solicitor

By: /s/ Amy Tai
Amy Tai
Senior Trial Attorney

Cc: Counsel for all parties (via ECF)

¹ The Secretary is the Plaintiff in *Stewart v. Ernie's Auto Detailing Inc., et al.*, No. 20-CV-17785-KM-ESK in the District of New Jersey.